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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: October 27, 2004 Name: Steven P. Shurtz Signature: /Steven P. Shurtz/

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Barbara Stawski et al.

Appln. No.: 10/810,461

Examiner: TBA

Filed: March 26, 2004

Art Unit: 1761

For: CONFECTIONARY WITH FAST
FLAVOR RELEASE JACKET COATING

Attorney Docket No: 1391-1576

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal letter (in duplicate); Supplemental Information Disclosure Statement (in duplicate); Form PTO-1449 identifying 6 references; copies of references B2-6, copy of International Search Report.
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
- ☐ An additional filing fee has been calculated as shown below:

| | | | | | Small Entity | | | Not a Small Entity | |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|----|--------------------|-----------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Add'l Fee | or | Rate | Add'l Fee |
| Total | | Minus | | | x \$9= | | | x \$18= | |
| Indep. | | Minus | | | x 43= | | | x \$86= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$145= | | | +\$290= | |
| | | | | | Total | \$ | | Total | \$ |

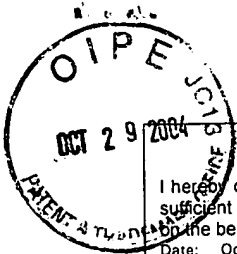
Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

October 27, 2004
Date

/Steven P. Shurtz/
Steven P. Shurtz (Reg. No. 31,424)



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Date: October 27, 2004 Name: Steven P. Shurtz Signature: /Steven P. Shurtz/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **Barbara Stawski et al.**

Appln. No.: **10/810,461**

Filed: **March 26, 2004**

For: **CONFECTIONARY WITH FAST
FLAVOR RELEASE JACKET COATING**

Attorney Docket No: **1391-1576**

Examiner: **TBA**

Art Unit: **1761**

**SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following references:

US PATENT DOCUMENT

| DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | NAME |
|--|-------------|-------------|
| 4,517,205 | 05/14/1985 | Aldrich |

FOREIGN PATENT DOCUMENTS

| DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | COUNTRY |
|--|-------------|----------------|
| EP 0 437 098 A2 | 07/17/1991 | Europe |
| EP 0 437 927 A2 | 07/24/1991 | Europe |
| WO 97/03569 | 02/06/1997 | WIPO |
| WO 97/06695 | 02/27/1997 | WIPO |
| WO 98/47483 | 10/29/1998 | WIPO |

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary under 37 C.F.R. §1.98(a)(3). Applicants respectfully request the Examiner's

consideration of the above references and entry thereof into the record of this application.

The Examiner's attention also is directed to the enclosed copy of the International Search Report, dated August 16, 2004, for the corresponding International Patent application No. PCT/US2004/009402 filed on March 23, 2004.

Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

October 27, 2004
Date

/Steven P. Shurtz/
Steven P. Shurtz (Reg. No.31,424)



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|---|-------------------------------|--------------------------------------|
| FORM PTO-1449 | SERIAL NO. 10/810,461 | CASE NO. 1391/1576 |
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT | FILING DATE March 26, 2004 | GROUP ART UNIT 1761 |
| (use several sheets if necessary) | | APPLICANT(S): Barbara Stawski et al. |

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | NAME | CLASS/ SUBCLASS | FILING DATE |
|---------------------|----|--|------------|---------|--------------------|----------------|
| | B1 | 4,517,205 | 05/14/1985 | Aldrich | | |
| | | | | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | COUNTRY | CLASS/ SUBCLASS | TRANSLATION YES OR NO |
|---------------------|----|--|------------|---------|--------------------|--------------------------|
| | B2 | EP 0 437 098 A2 | 07/17/1991 | Europe | | |
| | B3 | EP 0 437 927 A2 | 07/24/1991 | Europe | | |
| | B4 | WO 97/03569 | 02/06/1997 | WIPO | | |
| | B5 | WO 97/06695 | 02/27/1997 | WIPO | | |
| | B6 | WO 98/47483 | 10/29/1998 | WIPO | | |

| EXAMINER INITIAL | OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small> | |
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| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.